

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:09-cr-299

UNITED STATES OF AMERICA

vs.

MICHAEL GENE TERRELONGE (1)

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ORDER

**THIS MATTER** is before the Court upon the defendant's Motion to Dismiss for Lack of Subject Matter Jurisdiction. (Doc. No. 136).

The defendant argues that the Court lacks jurisdiction because the federal criminal statutes he was convicted violating do not contain an "enacting clause" supposedly required by the North Carolina Constitution, the Statutes At Large, and the United States Constitution. (Doc. No. 136: Motion at 2). However, he has not shown that any court has adopted that view of the applicable statutes. In fact, courts have routinely found the statute providing jurisdiction to district courts over violations of federal criminal laws was validly enacted. See e.g. United States v. Johnson, 270 F. App'x 191, 191-92 (3d Cir. 2008); United States v. Armijo, No. 08-2183, 2008 WL 5062178, slip op. at \*1 (10th Cir. Dec. 2, 2008). Therefore, the defendant has not established that he is entitled to relief.

**IT IS THEREFORE ORDERED** that the defendant's motion is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, and to the United States Attorney.

Signed: September 1, 2017



Robert J. Conrad, Jr.  
United States District Judge

